IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.23664 of 2008
CHAMRU SHARMA, son of late Bhumi
Sharma, resident of village Sharma, Tola Mohanpur,
P.S. Chautham, District Khagaria …… Petitioner
Versus
THE STATE OF BIHAR ….. Opposite party

06/ 10.11.2008 Heard learned counsel for the petitioner and the State.

Petitioner along with five others is named as suspect in the First Information Report registered for the offence under Sections 302, 201/34 of the Indian Penal Code and Section 27 of the Arms Act, as it is said that his daughter-in-law had illicit connection with the deceased, which was objected to by the petitioner and others named in the First Information Report, but the deceased continued with the affairs and was done to death. During the investigation, Janardan Ram recorded his statement in paragraph 16 of the case diary soon after the fardbeyan was recorded that he saw the deceased and the suspects going towards the maize field, gun shot was heard, petitioner and others returned but the deceased did not accompany them. Later, the dead body was recovered.

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It is submitted on behalf of the petitioner that one Babulal Sharma was also named by Janardan Ram in paragraph 16 of the case diary, but he has been admitted to the privilege of bail by this Court under orders dated 20.10.2008, passed in Cr. Misc. No. 36156 of 2008.

Perusal of the order dated 20.10.2008 would indicate that while admitting Babulal Sharma to the privilege of bail, this

Court noted the submission of the counsel that Babulal Sharma was not even remotely connected with the petitioner whose daughter-in-law had illicit connection with the deceased and appreciating such submission, Babulal Sharma was admitted to the privilege of bail. Present petitioner is the person whose daughter-in-law had illicit connection with the deceased.

In the circumstances, I am not inclined to admit the petitioner to the privilege of bail. This application is, accordingly, rejected.

Arjun/ **(V.N. Sinha, J.)**

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